

Exhibit 3

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

ePLUS, INC. : Civil Action No.
vs. : 3:09CV620
LAWSON SOFTWARE, INC. : September 15, 2011

COMPLETE TRANSCRIPT OF THE CONFERENCE CALL
BEFORE THE HONORABLE ROBERT E. PAYNE
UNITED STATES DISTRICT JUDGE

APPEARANCES:

Scott L. Robertson, Esquire
Michael G. Strapp, Esquire
Goodwin Procter, LLP
901 New York Avenue NW
Suite 900
Washington, D.C. 20001

Craig T. Merritt, Esquire
Christian & Barton, LLP
909 East Main Street
Suite 1200
Richmond, Virginia 23219-3095
Counsel for the plaintiff

Peppy Peterson, RPR
Official Court Reporter
United States District Court

1 APPEARANCES: (cont'g)

2 Dabney J. Carr, IV, Esquire
3 Troutman Sanders, LLP
4 Troutman Sanders Building
1001 Haxall Point
Richmond, Virginia 23219

5 Daniel W. McDonald, Esquire
Kirstin L. Stoll-DeBell, Esquire
6 William D. Schultz, Esquire
Merchant & Gould, PC
7 80 South Eighth Street
Suite 3200
8 Minneapolis, Minnesota 55402

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 I've got about two more weeks and then I leave for Christmas
2 vacation and my visit with my grandchildren. So I don't have a
3 lot of time to be spending on this.

4 I want you to understand something, Mr. Schultz. I
5 don't know exactly what the discrepancies are, but I will tell
6 you when I read what I read that your client had said, I was
7 mightily distressed about it.

8 If they were working on something that simple and
9 that easy when they were telling me how hard it was and the
10 hardship it was going to be on all customers and everything,
11 all of the customer base and what a tragedy it was going to be
12 for the medical industry, and they were working on something
13 that was 20 minutes and easy to do and they didn't disclose
14 that, then I was misled, and I don't think the record in the
15 trial is right, and I'm frustrated about what I'm seeing.

16 Now, it may be that that can be harmonized, but I
17 want ePlus to have a full opportunity to harmonize it, because
18 if it is what I think it is, there are a number of people who
19 are in trouble.

20 MR. SCHULTZ: Your Honor, we have --

21 THE COURT: And I'm telling you, I want it dealt with
22 fully so that it can be appropriately dealt with.

23 MR. SCHULTZ: In fact, what I'm going to agree to do
24 here is I did not realize that ePlus was going to limit their
25 interrogatories and document requests to 15 and 12. What they